

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**J.L.S., a Minor, by and through her  
Mother and Natural Guardian, DEB  
SMITH,**

**Plaintiff,**

**v.**

**KENNETH W. ELLIS, M.D.,  
DANIEL FARRELL, M.D., and  
THE COMMUNITY HOSPITAL  
ASSOCIATION d/b/a COMMUNITY  
HOSPITAL,**

**Defendants.**

**CASE NO. 8:08CV3068**

**ORDER**

This matter is before the Court on the Defendant Dr. Farrell's Unopposed Motion to Withdraw and Strike Filings 65, 66 and 67 (Filing No. 71) and the parties' Stipulated Motion to Dismiss Defendant Daniel Farrell, M.D., with Prejudice (Filing No. 72). The Court finds that the Motion to Withdraw should be granted and the Stipulated Motion should be approved. Accordingly,

**IT IS ORDERED:**

1. The Defendant Dr. Farrell's Unopposed Motion to Withdraw and Strike Filings 65, 66 and 67 (Filing No. 71) is granted;
2. Filing Nos. 65, 66, and 67 are deemed withdrawn;
3. The Stipulated Motion to Dismiss Defendant Daniel Farrell, M.D., with Prejudice (Filing No. 72) is approved, and the relief requested therein is granted;
4. The Plaintiff's action against Defendant, Daniel Farrell, M.D., is dismissed, with prejudice; and

5. The Clerk of the Court is directed to amend the caption in this case by terminating Daniel Farrell, M.D., as a defendant.

DATED this 2<sup>nd</sup> day of December, 2008.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge